

PROCEEDINGS OF THE COMMON COUNCIL  
IN REGULAR SESSION  
TUESDAY, APRIL 13, 19 93

CITY OF FORT WAYNE, INDIANA  
JOURNAL OF THE PROCEEDINGS  
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE  
COUNCIL CHAMBERS Tuesday EVENING April 13, 1993  
IN Regular SESSION. PRESIDENT Mark E. GiaQuinta  
IN THE CHAIR, COUNCIL ATTORNEY Stanley A. Levine, AND  
Sandra E. Kennedy CITY CLERK, AT THE DESK, PRESENT THE  
FOLLOWING MEMBERS \_\_\_\_\_ VIZ:

BRADBURY <u>A</u>	EDMONDS <u>✓</u>	GiaQUINTA <u>✓</u>
HENRY <u>✓</u>	LONG <u>✓</u>	LUNSEY <u>✓</u>
RAVINE <u>✓</u>	SCHMIDT <u>✓</u>	TALARICO <u>✓</u>

ABSENT: /

COUNCILMEMBER: Bradbury

THE MINUTES OF THE LAST REGULAR March 23, 1993,  
\_\_\_\_\_, 19\_\_\_\_,  
SPECIAL \_\_\_\_\_, 19\_\_\_\_,

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION,  
APPROVED AND PUBLISHED.

THE COUNCIL THEN ADJOURNED

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana, and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings the Common Council of the City of Fort Wayne, Indiana, for its Regular Session, held on 13th day of April, 19 93, that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 15th day of April, 19 93.

Sandra E. Kennedy  
City Clerk

PROCEEDINGS OF THE COMMON COUNCIL  
IN SPECIAL SESSION  
TUESDAY, MAY 4, 19 93

CITY OF FORT WAYNE, INDIANA  
JOURNAL OF THE PROCEEDINGS  
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE  
COUNCIL CHAMBERS Tuesday EVENING May 4, 1993,  
IN Special SESSION. PRESIDENT Mark E. GiaQuinta  
IN THE CHAIR, COUNCIL ATTORNEY Stanley A. Levine, AND  
Sandra E. Kennedy CITY CLERK, AT THE DESK, PRESENT THE  
FOLLOWING MEMBERS VIZ:

BRADBURY <u>A</u>	EDMONDS <u>P</u>	GIAQUINTA <u></u>
HENRY <u></u>	LONG <u></u>	LUNSEY <u>P</u>
RAVINE <u>P</u>	SCHMIDT <u>P</u>	TALARICO <u>P</u>

ABSENT: \_\_\_\_\_

COUNCILMEMBER: \_\_\_\_\_  
\_\_\_\_\_

THE MINUTES OF THE LAST REGULAR April 13, 1993  
\_\_\_\_\_, 19

SPECIAL \_\_\_\_\_, 19

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION,  
APPROVED AND PUBLISHED.

THE COUNCIL THEN ADJOURNED

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana, and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings the Common Council of the City of Fort Wayne, Indiana, for its SPECIAL Session, held on 4th day of May, 19 93, that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Sandra E. Kennedy  
City Clerk



# THE CITY OF FORT WAYNE



Paul Helmke  
Mayor

March 29, 1993

## COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Dear Councilmembers:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of dedicated right-of-way.

The proposed ordinance is designated as:

Bill No. G-91-09-09

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
29th day of March 1992.

Robert Hutner  
Secretary

/pb

CC: File

**FACT SHEET**

G-91-09-09

BILL NUMBER

**Division of Community  
Development & Planning****BRIEF TITLE**

Street Vacation Ordinance

**APPROVAL DEADLINE****REASON****DETAILS****Specific Location and/or Address**

Jefferds Avenue between Edsall Avenue, and Fairview Avenue, and Fairview Avenue between Jefferds and Washington.

**Reason for Project**

Expansion of OmniSource facility.

**Discussion (Including relationship to other Council actions)**

16 September 1991- Public Hearing

Otto Bonahoom, attorney for the petitioner, Omni-Source Corporation appeared before the Commission. Mr. Bonahoom stated that to his knowledge there was no controversy regarding the requested vacation. He stated that after meeting with the staff they have worked out a relocation of Jefferds Avenue south of the existing right-of-way to allow continued public use of Fairview Avenue approach. He stated that the relocation will be at the expense of Omni-Source and will comply with applicable city standards and specifications. He stated that they have no problem with any of the required easements. He stated that the vacation is being requested in order to accommodate the proposed expansion of the existing facility.

There was no one else present who spoke in favor of or in opposition to the proposed vacation.

**POSITIONS****RECOMMENDATIONS**

<b>Sponsor</b>	City Plan Commission
<b>Area Affected</b>	City Wide  Other Areas
<b>Applicants/ Proponents</b>	Applicant(s) Omni-Source Corporation  City Department  Other
<b>Opponents</b>	Groups or Individuals  Basis of Opposition
<b>Staff Recommendation</b>	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against  Reason Against
<b>Board or Commission Recommendation</b>	By  <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken  <input type="checkbox"/> For with revisions to conditions (See Details column for conditions) WITHDRAWN
<b>CITY COUNCIL ACTIONS (For Council use only)</b>	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass

# DETAILS

## 23 September 1991 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation contingent upon the petitioner satisfying the following:

- 1) The petitioner must provide utility easements as needed.
- 2) Relocate Jefferds Avenue south of the existing right-of-way to allow continued public use of Fairview Avenue approach. This relocation will be completed at the petitioners expense and must comply with applicable city standards and specifications.
- 3) Provide a revised legal description of the portions of Jefferds Avenue and Fairview Avenue that will be vacated.

Motion carried.

NOTE: This petition was withdrawn by the petitioner's attorney, Otto Bonahoom. Mr. Bonahoom stated that the conditions had not been met due to economic reasons. Therefore, Omni-Source had instructed him not to resist a do not pass recommendation. He further stated that if it would assist in expediting the matter that we could accept his letter as a formal withdrawal of the petition.

# POLICY/ PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start

Date 22 July 1991

Projected Completion or Occupancy

Date 29 March 1993

Fact Sheet Prepared by

Date 29 March 1993

Patricia Biancaniello

Reviewed by

Date

31 MARCH 1993

Reference or Case Number

# Barrett & McNagny

ATTORNEYS

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FORT WAYNE, INDIANA 46801-2263 • (219) 423-9551  
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March 25, 1993

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J. MICHAEL O'HARA  
OTTO M. BONAHOOM  
HOWARD L. CHAPMAN  
TED S. MILLER  
PAUL S. STEIGMEYER  
JOHN M. CLIFTON, JR.  
ROBERT S. WALTERS  
JOHN F. LYONS  
N. THOMAS HORTON II  
RICHARD D. ROBINSON  
WILLIAM L. SWEET, JR.  
PATRICK G. MICHAELS  
THOMAS M. FINK  
RICHARD E. FOX  
GARY J. RICKNER  
JOHN D. WALDA  
JAMES P. FENTON  
JOHN P. MARTIN  
ALAN VERPLANCK  
DENNIS C. BECKER  
THOMAS P. YODER

THOMAS M. KIMBROUGH  
RONALD J. EHINGER  
STEPHEN L. CHAPMAN  
THOMAS A. HERR  
ROBERT R. GLENN  
THOMAS J. MARKLE  
MICHAEL P. O'HARA  
JOSEPH G. BONAHOOM  
THOMAS M. NIEZER  
ANTHONY M. STITES  
RENEE R. NEELD  
DAVID R. STEINER  
KEVIN K. FITZHARRIS  
KATHLEEN M. ANDERSON

OF COUNSEL  
MENTOR KRAUS  
J.A. BRUGGEMAN  
JAMES M. BARRETT III  
WILLIAM F. McNAGNY

Wayne E. O'Brien  
Planner II  
City of Fort Wayne  
One Main Street  
Fort Wayne, Indiana 46802

Re: Vacation Petition/OmniSource  
G-91-09-09

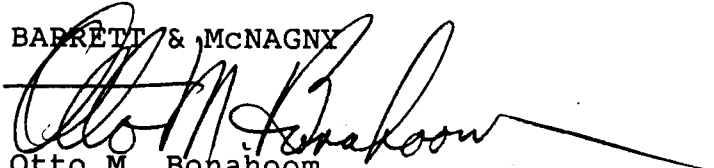
Dear Mr. O'Brien:

In response to your letter to me of March 22, 1993, I have consulted with my client, OmniSource, and have been advised that the conditions of the conditional approval of the vacation petition have not been met for economic reasons. Therefore, the client has instructed me not to resist the do-not-pass recommendation at the business meeting on April 26, 1993.

If it will assist you in expediting this matter, you may take this letter to be a formal withdrawal of my client's petition to vacate Jefferds Avenue.

Very truly yours,

BARRETT & McNAGNY

  
Otto M. Bonahoom

OMB:kjs:4988B

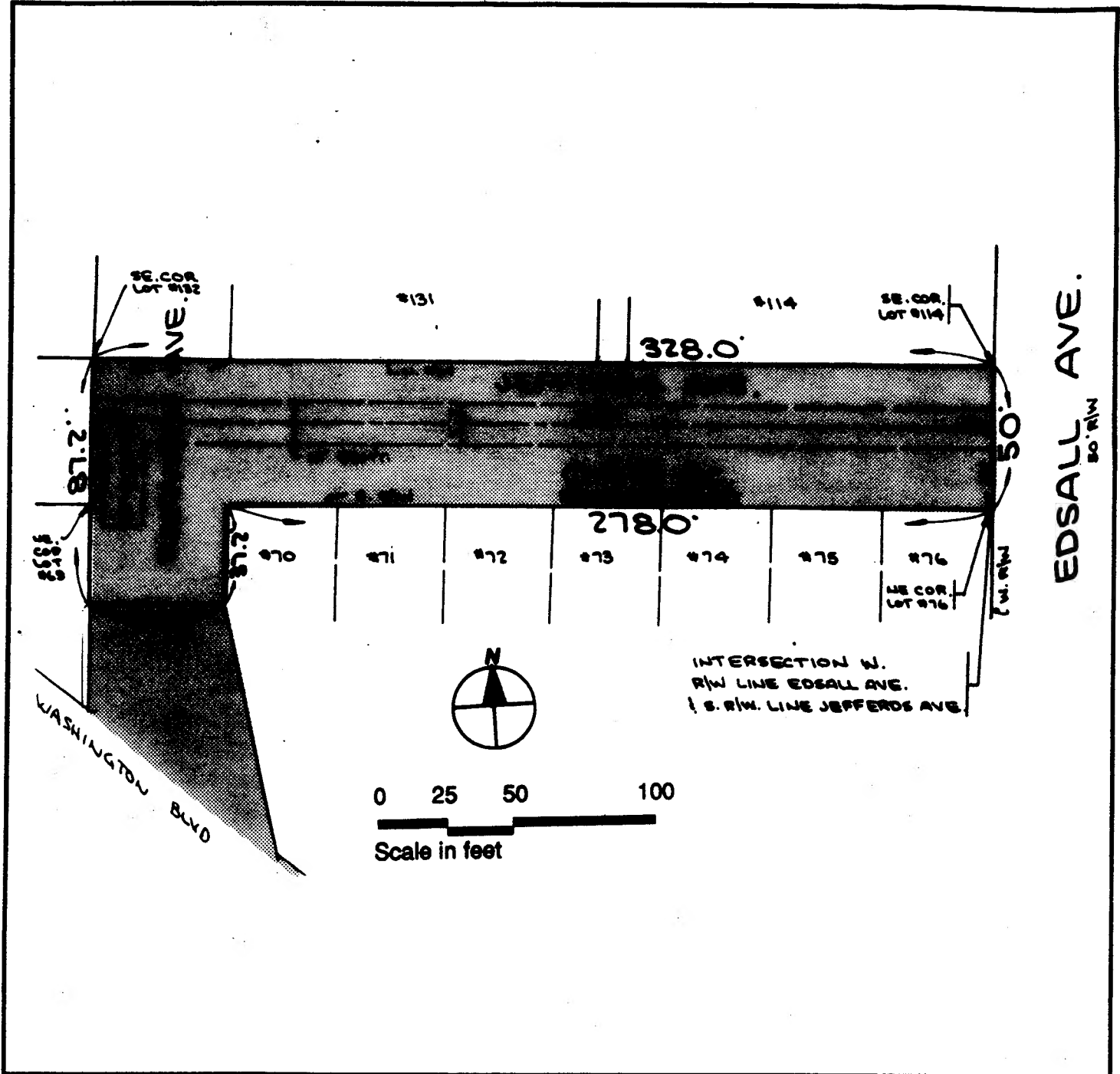
cc: OmniSource Corporation  
Attention: Leonard Rifkin, President  
1610 North Calhoun Street  
Fort Wayne, Indiana 46808



# VACATION PETITION

AREA MAP

CASE NO. #485



COUNCILMANIC DISTRICT NO. 1

Map No. Q-6  
LW 6-25-91

R1	One-Family	B1	Limited Business	M1	Light Industrial
R2	Two-Family	B2	Planned Shopping Center	M2	General Industrial
R3	Multi-Family	B3	General Business	M3	Heavy Industrial
RA/RB	Residential	B4	Roadside Business	MHP	Mobile Home Park
PUD	Planned Unit Dev.	POD	Professional Office District		

RESOLUTION OF VACATION ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 10, 1991 referred a proposed right-of-way vacation ordinance to the City Plan Commission which proposed ordinance was designated as Bill No. G-91-09-09; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 16, 1991.

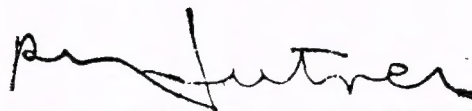
WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 23, 1991.

Certified and signed this  
29th day of March 1993.

A handwritten signature in dark ink, appearing to read "R. Hutner", is written over a horizontal line.

Robert Hutner  
Secretary

**Otto Bonahoom, attorney for OmniSource Corporation, requests the vacation of public right-of-way.**

Location: Jefferds Avenue between Edsall Ave. and Fairview Ave., and Fairview Avenue between Jefferds and Washington.

Legal: See File

Land Area: Approximately 0.506 acres

Zoning: M-3

Surroundings:	North	M-3	Industrial
	South	M-3	Industrial
	East	M-3	Industrial
	West	M-3	Industrial

Reason for Request: Expansion of OmniSource facility.

Neighborhood Assoc.: Memorial Park

Comprehensive Plan: No comment.

Landscape: No comment.

Neighborhood Plan: While this request falls within the Memorial Park Neighborhood Strategy Area, a petition of this nature warrants no comment from the Neighborhood Planning staff.

**Planning Staff Discussion:**

OmniSource is proposing an expansion of their existing facility as part of a comprehensive plan for this eastern site. This vacation petition has been submitted in connection with a proposed 69,000 Sq. Ft. building that represents a portion of their comprehensive development plan.

Vacation petitions are reviewed against a criteria that covers the need for growth and orderly development, access to public lands or public ways, impacts on property values and the general public interest. The area immediately surrounding the requested vacation is owned and used by OmniSource. While we do not believe that any immediately surrounding property owner would be negatively impacted by the petition, there is a concern regarding the motoring public. For that reason we have discussed the traffic safety needs of the area with Traffic Engineering.

The petitioner may wish to perfect a portion of Fairview Avenue out of the petition, depending on whether or not they would be allowed to maintain their access to Washington Blvd. at Fairview

Avenue. We originally suggest the entire portion of Fairview Ave between Jefferds Ave. and Washington Blvd. be vacated.

Traffic Engineering advised us that Jefferds Ave. is classified as a local route. It intersects with and a section terminates at Fairview Ave. Fairview provides the "best" exit approach for vehicles in the Edsall Ave./Maumee Ave. area to cross Washington Blvd. and move east bound. We project that the majority of the vehicles performing this maneuver will be from OmniSource Corp.

We have carefully evaluated the merits of this petition and have given strong consideration to the general traffic flows associated with Washington Blvd. in this area. We recommend the following as the most appropriate course of action for both the proposed development, and the traffic safety needs of the city.

OmniSource will relocate Jefferds Ave. to the south of the existing right-of-way which will allow continued public use of the Fairview Avenue approach. This will allow for safe traffic flow through the area to gain eastbound access to Washington Blvd.

Recommendation: Conditional Approval, contingent upon the petitioner providing utility easements as needed, and satisfying the following:

- 1) Relocate Jefferds Ave. south of the existing right-of-way to allow continued public use of Fairview Avenue approach. This relocation will be completed at the petitioners expense and will comply with applicable city standards and specifications.

- 2) Provide a revised legal description of the portions of Jeffers Avenue and Fairview Avenue that will be vacated.



# THE CITY OF FORT WAYNE



Paul Helmke  
Mayor

March 23, 1993

## COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Dear Councilmembers:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-04-93, amending Chapter 157 of the Municipal Code of the City of Fort Wayne, Indiana, 1946.) The proposed ordinance is designated as:

Bill No. G-93-03-11

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
23rd day of March 1992.

Robert Hutner  
Secretary

/pb

CC: File

**FACT SHEET**

G-93-03-11

BILL NUMBER

**Division of Community  
Development & Planning****BRIEF TITLE**

Subdivision Control Ordinance

**APPROVAL DEADLINE****REASON****DETAILS****Specific Location and/or Address**

N/A

**Reason for Project**

A revised Subdivision Control Ordinance is being proposed that more clearly addresses the needs of the community, that redefines what constitutes a subdivision, and that provides for infrastructure improvements and land set-asides in conjunction with the subdivision of land within the corporate limits. The revised ordinance represents improvements in the submittal and approval process, while maintaining similar penalty language.

**Discussion (Including relationship to other Council actions)**

15 March 1993 - Public Hearing

(See Attached Minutes of Meeting)

22 March 1993 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation.

Of the seven (7) members present, six (6) voted in favor of the motion, one (1) did not vote. Motion carried.

**POSITIONS****RECOMMENDATIONS**

<b>Sponsor</b>	City Plan Commission
<b>Area Affected</b>	City Wide  Other Areas
<b>Applicants/ Proponents</b>	<b>Applicant(s)</b> Land Use Management - Community & Economic Develop- City Department ment  Other
<b>Opponents</b>	<b>Groups or Individuals</b> Jack Powell, 8721 Breakwater Andy Kurtz, 909 Old Farm Cr  <b>Basis of Opposition</b> -feels the city & county need one ordinance to work from & that they should combine the ordinances
<b>Staff Recommendation</b>	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against  Reason Against
<b>Board or Commission Recommendation</b>	<b>By</b>  <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions)
<b>CITY COUNCIL ACTIONS (For Council use only)</b>	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass



DETAILS

POLICY/ PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start

Date 11 February 1993

Projected Completion or Occupancy

Date 24 March 1993

Fact Sheet Prepared by

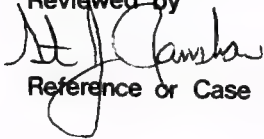
Date 24 March 1993

Patricia Biancaniello

Date

Reviewed by

25 MARCH 1993



Reference or Case Number

a. Bill No. G-93-03-11  
Subdivision Control Ordinance

Steve Ranshaw, Senior Planner with Community & Economic Development appeared before the Commission. He stated that the ordinance before them was the culmination of over two years of work. He stated that over two years ago the staff began work on amendments to and actually re-writing of the Subdivision Control Ordinance for the City of Fort Wayne. He stated that the initial work was done within approximately the first 6 to 9 months and then the work was halted for approximately one year. He explained that the reason was that the city was going to wait for the county, who was also interested in working on their Subdivision Control Ordinance. He stated that the city was waiting so that both of the projects could be done at the same time so that there would be consistencies between the two. After waiting for approximately one year the city decided to pick the project back up again. Because of the merits of the new draft of the ordinance, they wanted to move forward with the ordinance. There are some items in this that they feel are important enough that they should move forward. He stated that they have given a draft of the ordinance to the County.

Mr. Ranshaw stated that he would be brief and just hit the high points of the ordinance. He stated that there was also a representative from the Park Department to answer any questions the Commission may have concerning the recreational space requirements or the in lieu of payment. He stated that there is also a representative from the Ordinance Review Committee, Jack Powell. He stated that the new ordinance creates two different types of subdivisions a major and a minor subdivision. A minor subdivision is for those subdivisions of land that are from between 3 and 6 lots. He stated the minor subdivisions also have to have existing city infrastructure and gain access from an existing improved city street. He stated that what they have done in order to expedite that procedure is they have also created a Plat Committee that can hear those very simple cases, which will remove those from the agendas of the Plan Commission. The second type of subdivision is a major subdivision, that is obviously for all those greater than 6 lots. Those would still come before the Plan Commission as has been done in the past. He stated however that the secondary approval, which is actually just a technical review to make sure that all the conditions are met, could be done through the Plat Committee. He stated that another item is the fact that Planned Districts are excluded from the requirements of the Subdivision Control Ordinance. He stated that they have tried to lay the ground work for unique development, to try to give developers the flexibility to preserve natural features, to condense and allow for cluster development or any other kind of unique development that would not be able to adhere to the strict minimum requirements of the Subdivision Control Ordinance. He stated that they could come before the Commission as a development plan as opposed to a subdivision and allow more flexibility. He stated another item is the creation of recreational space. The ordinance has three alternatives for a developer. The developer can provide for land



within his project, which can be dedicated to the city Park Department or can remain private. The second alternative is that the developer can provide the land on a site away from where the project is being developed, if the Park Department deems that as being an appropriate site for future park development. The third alternative is the developer can provide the Park Department with an in lieu of payment. He stated that instead of setting aside the land or dedicating the land to the Park Department they would pay to the Park Department, in order to improve an existing park in that immediate area. He stated the goal here is to make sure that the recreational needs of the community are met. He stated the final item he would talk about is the improved notice requirement. He stated that they are not just dropping the ball in the lap of the development community. He stated that they will work very closely with the development community in order to provide the notice requirements. He stated that what they have done in this proposed text, is that they have put the burden of sending notice on the developer. The developer would need to give the staff of C&ED a list of all of the interested parties for the proposed subdivision. The developer would then have to send a form that was prepared in the city office to each of these individuals and then provide an affidavit to the staff proving that the notices were sent out and that they were sent out earlier enough to meet the statutory requirements. He stated that the proposed ordinance is not proposed to be implemented until October 1, 1993. He stated they want the deferred implementation date because they need time to have the Plan Commission form the Plat Committee and also form all of the rules, regulations, bylaws and guidelines for that Plat Committee. He stated that there are also a number of new forms that need to be created. He stated that it will also allow the Park Department time to finish their work on the requirements for the in lieu of payment. He stated that the Park Department has taken the responsibility of coming up with all of the requirements for the in lieu of payment. He stated that they are currently working on that requirement and in conversations with Bob Arnold (Director of the Park Department) he assures them that October 1, 1993 is a reasonable date, and that they will have the requirements in place at that time.

Mel Smith questioned when was the last time the Subdivision Control Ordinance was updated.

Wayne O'Brien stated that the last major update would have been 1978. He stated that there was a minor update in the 80's that dealt with some changes to state law dealing with what a professional engineer could do as opposed to a licensed land surveyor.

John Shoaff stated that when land is dedicated to the Park Department and it becomes part of the Park system, there is nothing required for paying for maintenance. He stated that one would assume that there will be property taxes from the new development which will cover its share of the maintenance for the land. He stated that it will be important that those new maintenance

requirements be reflected in the succeeding park budgets.

Mr. Ranshaw stated that the Park Department will decide whether they will accept or not accept the land as a city park.

Jack Powell, 8721 Breakwater Dr, representing the Westbridge Company which develops subdivisions in the city and county. He stated that he was given a copy of the proposed ordinance and he had a number of items that he has concerns about. He stated that he met with Mr. Ranshaw and generally speaking they came to an agreement on those changes. He stated that the greatest frustration with this whole thing is that there is no reason in the world why the City Plan Commission and the County Plan Commission has two separate ordinances. He stated that we have two separate groups doing the same thing and that does not make any sense nor is it efficient. He stated that development standards in the city are no different than development standards in the county. He stated that from a developer's standpoint they would love to have one ordinance. One document that would be appropriate for both jurisdictions. He stated that he did not object to the open space requirement in the new ordinance. He stated that he felt that the alternatives on how to maintain the open space is appropriate. He stated that they have an industry standard of 750 sq ft of open space per lot and there are some upper and lower limits on that. He stated that roughly 80% of all new dwelling units are built outside of the city limits. He stated that we are developing a new standard for open space with this ordinance. Why? He stated that Mr. Ranshaw has done some research and determined that in other communities we had a different standard. He stated that to put them in the middle of what other communities are doing is appropriate. He stated that he would suggest in the name of simplicity that they should look hard and fast as to why they are not adopting what is already accepted as the community standard here. He stated that he wanted to know why the city could not adopt the same standard as the county has adopted in the past. He stated that the ordinance is also proposing a street tree requirement. He stated that he does not object to the requirement. He stated that if the trees go in after the homes are built they will live. He stated however if the developer is required to put them in prior to the homes being completed it is likely they would not survive. He said they are hoping to be able to work with the Park Department on the tree requirement. He stated that he felt the notification provisions were troublesome. He felt that the present procedure works well. He stated that it is a similar procedure the way the county is doing. He stated that if you get a lot of developer's coming in trying to generate lists and do their own mailings, it is going to far more efficient for the staff to do it than to have to deal with double checking on lot of different individuals who do not come before the Commission very often. He stated that he encouraged the Commission to choose the most efficient path, which he believed was to allow the C&ED staff to do the notification.

Andy Kurtz, 909 Old Farm Circle, stated that he was presently

involved in several subdivision developments both in and out of the city. He stated that he wanted to back up what Mr. Powell said. He stated that it is rather confusing to have to different ordinances. He stated that when a subdivision is annexed into the city that has been started in the county it is very confusing. He stated that he was also interested in what the timetable for the new ordinance, since he is filing a subdivision on this Thursday.

Steve Ranshaw stated that he would like to address a couple of the comments. He stated that he is all for a single ordinance and they have been in contact with the County Planning Department and they are working with them to make sure, when it is possible, to be as consistent as they can. He stated that they are proposing with this ordinance a new and better procedure. He stated that he would not want to put in some things from the County's ordinance just for the sake of consistency. He stated that he felt they appear to be more on the leading edge, out in front with the new ordinance. He stated that maybe the County would be able to follow along and see some of the items that they have and feel that they are appropriate. He stated that there is a chart in the new ordinance that explains how much recreational space is going to be required. He stated that in the county right now, regardless of lot size, you have to set aside 750 sq ft for recreational space. He stated that with the table in the new ordinance the sliding scale presents, what they believe, is a more equitable situation, where you actually relate the amount of recreational space to the size of the lot. He stated that more recreational space is required when you have smaller lots, less when you have larger lots, by percentage. He stated that they feel this is a more equitable situation than what the county requires developers now. He stated as far as street trees, there is one statement in the new ordinance that basically says that street trees shall satisfy the requirements for the standards and specifications for the city of Fort Wayne. He stated that as of right now there are no standards and specifications for the city of Fort Wayne that address street trees specifically. He stated that what they are looking at doing is creating a standard. He stated that there will be hearings and input from the development community to create that standard.

He stated that he could understand the concern of the development community, because we have been providing a service to the community by taking care of the notice requirement for the developers. He stated that they have had in the past a number of complaints from people not receiving notice. He stated that they want to improve the notice that is going out. He stated that the mailing of notices for the staff costs a lot of time, effort and money. He stated that we are in a situation now, as most communities are, where staffs are needing to do more with less. He stated that what they are trying to do is improve the notice requirement without increasing the burden of work or cost to the city. He stated that they understand that it will be a time constraint for the developer. He stated that it is more appropriate for the developer.

John Shoaff questioned when the staff would have the street tree requirements.

Mr. Ranshaw stated that they are not set yet, but they are being worked on. He stated that they are working on them and they should probably, be on line by the October 1, 1993 implementation date.

There was no one else present who spoke in favor of or in opposition to the proposed

**BOARD OF PUBLIC SAFETY**

Year 1990

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(SEE ATTACHED)

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record

Respectfully submitted,

Payne D. Brown  
Director Board of Public Safety



**REGULATORY RESOLUTIONS FOR THE**  
**YEAR 1990**

133/90/D-1	197/90/D-24
139/90/D-2	198/90/D-25
142/90/E-3	199/90/E-26
145/90/E-4	200/90/E-27
157/90/D-5	202/90/E-28
158/90/E-6	203/90/E-29
159/90/E-7	204/90/E-30
160/90/D-8	205/90/E-31
161-90/E-9	
162/90/E-10	
163/90/E-11	
164/90/D-12	
165/90/D-13	
183/90/D-14	
187/90/E-15	
188/90/E-16	
190/90/E-17	
191/90/E-19	
192/90/E-20	
193/90/E-21	
194/90/E-22	
196/90/E-23	

**BOARD OF PUBLIC SAFETY**

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Director Board of Public Safety

**REGULATORY RESOLUTIONS**  
**FOR THE YEAR 1991**

1/91/E-32	26/91/E-57
2/91/E-33	27/91/D-58
3/91/3-34	28/91/E-60
4/91/3-35	29/91/E-61
5/91/E-36	30/91/E-62
6/91/D-37	31/91/D-63
7/91/D-38	32/91/E-64
8/91/D-39	33/91/E-65
9/91/D-40	34/91/E-66
10/91/E-41	35/91/E-67
11/91/E-42	36/91/E-68
12/91/E-43	37/91/D-69
13/91/E-44	38/91/E-70
14/91/E-45	39/91/D-71
15/91/E-46	40/91/D-72
16/91/D-47	41/91/E-73
17/91/D-48	42/91/E-74
18/91/D-49	43/91/E-75
19/91/D-50	44/91/E-76
20/91/E-51	45/91/E-77
21/91/E-52	46/91/E-78
22/91/E-53	47/91/E-79
23/91/D-54	48/91/E-80
24/91/E-55	49/91/E-81
25/91/E-56	50/91/E-82



**REGULATORY RESOLUTIONS**  
**FOR THE YEAR 1991**  
**CONTINUED**

51/91/E-83  
52/91/D-84  
53/91/E-85  
54/91/E-86  
55/91/E-87  
56/91/E-88  
57/91/E-89  
58/91/E-90  
59/91/E-91  
60/91/E-92  
61/91/E-93  
62/91/E-94  
63/91/E-95  
64/91/E-96  
65/91/D-97  
66/91/E-98  
69/91/E-99  
70/91/E-100  
71/91/E-101  
72/91/E-102  
73/91/E-103  
74/91/E-104  
75/91/E-105

76/91/D-106  
77/91/D-107  
78/91/E-108  
79/91/E-109  
80/91/E-110  
81/91/D-111  
82/91/E-112  
83/91/E-113  
85/91/E-114  
86/91/E-115  
87/91/D-116  
88/91/E-117  
89/91/E-118  
90/91/D-119  
91/91/E-120  
92/91/E-121  
93/91/E-122  
94/91/E-123  
95/91/E-124  
96/91/E-125  
97/91/D-126  
98/91/D-127  
99/91/E-128  
100/91/E-129

**REGULATORY RESOLUTIONS**  
**FOR THE YEAR 1991**  
**CONTINUED - PAGE 3**

101/91/E-130	126/91/D-155
102/91/D-131	127/91/E-156
103/91/D-132	128/91/E-157
104/91/E-133	129/91/D-158
105/91/E-134	130/91/E-159
106/91/D-135	131/91/D-160
107/91/E-136	132/91/E-161
108/91/E-137	133/91/E-162
109/91/D-138	134/91/E-163
110/91/D-139	135/91/E-164
111/91/E-140	136/91/E-165
112/91/E-141	137/91/E-166
113/91/E-142	138/91/E-167
114/91/E-143	139/91/E-168
115/91/D-144	140/91/E-169
116/91/E-145	141/91/E-170
117/91/D-146	142/91/E-171
118/91/D-147	143/91/D-172
119/91/D-148	144/91/E-173
120/91/D-149	145/91/D-174
121/91/E-150	146/91/D-175
122/91/E-151	147/91/D-176
123/91/E-152	148/91/E-177
124/91/D-153	149/91/E-178
125/91/D-154	150/91/E-179

**REGULATORY RESOLUTIONS**  
**FOR THE YEAR 1991**  
**CONTINUED - PAGE 4**

151/91/E-180	176/91/E-206
152/91/D-181	177/91/E-207
153/91/D-182	178/91/D-208
154/91/D-183	179/91/E-209
155/91/E-184	180/91/E-210
156/91/E-185	181/91/D-211
157/91/E-186	182/91/E-212
158/91/E-187	
159/91/D-188	
160/91/E-189	
161/91/D-190	
162/91/E-191	
163/91/E-192	
164/91/D-193	
165/91/D-195	
166/91/E-196	
167/91/E-197	
168/91/E-198	
169/91/E-199	
170/91/D-200	
171/91/E-201	
172/91/E-202	
173/91/D-203	
174/91/D-204	
175/91/E-205	

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Payne D. Brown  
Director Board of Public Safety

**REGULATORY RESOLUTIONS**  
**FOR THE YEAR 1992**

2/92/D-213  
3/92/E-214  
4/92/E-215  
5/92/D-216  
6/92/E-217  
7/92/E-218  
8/92/E-219  
9/92/E-220  
10/92/E-221  
11/92/E-222  
12/92/E-223  
13/92/D-224  
14/92/D-225  
15/92/E-226  
16/92/E-227  
17/92/E-228  
18/92/E-229  
19/92/E-230  
20/92/D-231  
21/92/E-232  
23/92/E-233  
24/92/D-234  
25/92/E-235

26/92/D-236  
27/92/D-237  
34/92/E-238  
35/92/D-239  
36/92/D-240  
37/92/E-241  
38/92/E-242  
39/92/D-243  
40/92/E-245  
41/92/E-246  
42/92/E-247  
43/92/E-248  
44/92/E-249  
45/92/E-250  
46/92/D-251  
47/92/E-252  
48/92/E-253  
49/92/E-254  
50/92/D-255

**REGULATORY RESOLUTIONS**  
**FOR THE YEAR 1992**  
**CONTINUED - PAGE 2**

51/92/E-256	76/92/E-280
52/92/D-257	77/92/E-281
54/92/D-258	78/92/E-282
55/92/E-259	79/92/E-283
56/92/D-260	80/92/E-284
57/92/E-261	81/92/D-285
58/92/E-262	82/92/E-286
59/92/E-263	83/92/E-287
60/92/E-264	84/92/D-288
61/92/D-265	85/92/E-289
62/92/E-266	86/92/D-290
63/92/D-267	87/92/D-291
64/02/E-268	88/92/E-292
65/92/E-269	89/92/E-293
66/92/D-270	90/92/E-294
67/92/E-271	91/92/E-295
68/92/E-272	92/92/E-296
69/92/E-273	93/92/D-297
70/92/E-274	94/92/D-298
71/92/E-275	95/92/E-299
72/92/E-276	96/92/D-300
73/92/E-277	97/92/D-301
74/92/D-278	98/92/E-302
75/92/D-279	99/92/E-303

**REGULATORY RESOLUTIONS**  
**FOR THE YEAR 1992**  
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100/92/E-304  
101/92/E-306  
102-92/E-307  
103/92/E-308  
104/92/E-309  
105/92/E-310  
106/92/D-311  
107/92/E-312  
108/92/E-313

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Director Board of Public Safety



**REGULATORY RESOLUTIONS**  
**FOR THE YEAR 1993**

1/93/E-314	30/93/D-343
2/93/D-315	31/93/D-344
3/93/E-316	38/93/E-345
4/93/E-317	39/93/E-346
5/93/D-318	40/93/E-347
6/93/D-319	41/93/E-348
7/93/E-320	42/93/E-349
8/93/E-321	43/93/D-350
9/93/E-322	44/93/E-351
10/93/E-323	45/93/E-352
11/93/E-324	46/93/E-353
12/93/D-325	47/93/D-354
13/93/D-326	48/93/E-355
14/93/E-327	49/93/D-356
15/93/E-328	50/93/E-357
16/93/E-329	51/93/D-358
17/93/E-330	52/93/E-359
18/93/D-331	53/93/E-360
19/93/E-332	54/93/E-361
20/93/E-333	55/93/E-362
21/93/D-334	56/93/D-363
22/93/E-335	57/93/D-364
23/93/E-336	58/93/E-365
24/93/D-337	59/93/E-366
25/93/E-338	60/93/E-367
26/93/E-339	61/93/E-368
27/93/E-340	62/93/E-369
28/93/E-341	
29/93/E-342	